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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,245	03/22/2004	Yasuhito Ambiru	04329.3283	9061

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EXAMINER	
MOREHEAD, JOHN H	
ART UNIT	PAPER NUMBER
2622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/805,245	AMBIRU ET AL.	
	Examiner	Art Unit	
	John Morehead	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 March 2004 and 28 July 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 08/12/2005 and 01/13/2006 was filed after the mailing date of the 22 on March 2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner based upon the English abstracts.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Niida et al US 7161619.

5. Re claim 1, Niida discloses an image pickup apparatus (fig. 1) comprising: an image pickup section (fig. 1 element 10) which picks up an image (col. 4 lines 3-11); a communication section (fig. 1 element 30) which transmits the picked-up image to an external device (fig. 1 element 20, col. 3 lines 59-67, col. 4 lines 1-2 and col. 4 lines 58-67), and which receives control information from the external device (col. 4 lines 51-57); and a processing section (fig. 1 elements 21, 23, and 24) which, in a state in which the image is displayed on a display screen (fig. 1 element 22) of the external device, when a predetermined region on the display screen is designated (fig. 2, col. 5 lines 18-28), generates image information and transmits it to the external device via the communication section in order to display the predetermined region in the image (col. 5 lines 29-40), and carries out an exposure correction with respect to the image to be picked up at the image pickup section on the basis of the predetermined region (figs. 2, 3a, 3b, and 3c, col. 5 lines 29-33 and 39-67, col. 14 lines 46-59).

Re claim 2, Niida further discloses the image pickup apparatus according to claim 1, wherein, in a state in which the image is displayed on the display screen of the external device, when a predetermined region on the display screen is designated, the processing section generates image information and transmits it to the external device via the communication section in order to display the predetermined region in the image, and further carries out an exposure correction with respect to the image to be picked up at the image pickup section on the basis of the predetermined region after

receiving a determination signal from the communication section (col. 5 lines 47-67, also see claim 1).

Re claim 3, Niida further discloses the image pickup apparatus according to claim 1, wherein the exposure adjustment of the processing section is carried out by at least one method of an exposure adjustment in which incident light is limited by using an iris mechanism, an exposure adjustment carried out by controlling the operation timing of a solid image pickup element which receives the incident light and outputs a detection signal, and an exposure adjustment carried out by controlling the gain of the detection signal outputted from the solid image pickup element (figs. 3a, 3b, and 3c, col. 5 lines 39-67, col. 14 lines 46-59, col. 26 lines 45-64, and col. 27 lines 3-10).

Re claim 4, Niida further discloses the image pickup apparatus according to claim 1, wherein the processing section displays the image within the designated predetermined region in the display screen, on the display screen of the external device in a state in which the user can distinguish in the same way as in the other region (col. 15 lines 47-61).

Re claim 5, Niida further discloses the image pickup apparatus according to claim 1, wherein the processing section distinguishes the predetermined region in accordance with a coordinate signal to be provided from a pointing device connected to

the external device via the communication section (col. 4 lines 58-67, col. 14 lines 46-53).

Re claim 6, Niida further discloses the image pickup apparatus (figs. 25a and 25b) according to claim 1, further comprising an image compressing section (fig. 25b element 2564) which compresses the image picked up by the image pickup section in order to display the image by a browser application at the external device via the communication section (fig. 29, col. 27 lines 55-59).

Re claim 7, Niida further discloses the image pickup apparatus according to claim 1, further comprising: at least one of a driving section which drives the image pickup section in the panning direction and a driving section which drives the image pickup section in the tilting direction (figs. 3a-3c).

Re claim 8, Niida further discloses the image pickup apparatus according to claim 7, wherein the processing section handles only a region in a current display screen showing the image picked up by the image pickup section, in accordance with a current position of the image pickup section by driving of the driving section, as the predetermined region (col. 5 lines 8-33).

Re claim 9, Niida further discloses the image pickup apparatus according to claim 8, wherein the processing section discontinues the exposure adjustment

corresponding to the predetermined region when the image pickup section is moved by the driving section (claim limitations has already been discussed and rejected, see claims 1 and 3, also it is inherent that when the camera moves, until the camera locks onto a new target, or field of view, exposure adjustment is discontinued until the camera targets a field of view).

Re claim 10, Niida further discloses the image pickup apparatus according to claim 7, wherein the processing section can set the predetermined region within the range of an image pickup possible screen in which image pickup is possible by a movement of the image pickup section by the driving section, and thereafter, the processing section carries out an exposure adjustment on the basis of the predetermined region (col. 5 lines 18-33).

Re claim 11, Niida further discloses the image pickup apparatus according to claim 7, wherein the processing section can set the predetermined region within the range of an image pickup possible screen in which image pickup is possible by a movement of the image pickup section by the driving section, and after the setting, even if the predetermined region does not exist in the current display screen due to the movement of the image pickup section thereafter, the processing section carries out an exposure adjustment on the basis of the predetermined region (if the exposure adjustment is a **set** value for the predetermined region, then it would not only perform the adjustment for the predetermined area, but on the picture as a whole, therefore

whether or not the predetermined region is there, the value for the exposure adjustment has already been set on the basis of the predetermined region, also col. 5 lines 18-33).

Re claim 12, Niida further discloses the image pickup apparatus according to claim 7, wherein the processing section can set the predetermined region within the range of an image pickup possible screen in which image pickup is possible by a movement of the image pickup section by the driving section, and after the setting, even if the predetermined region does not exist in the current display screen due to the movement of the image pickup section thereafter, the processing section carries out an exposure adjustment on the basis of the predetermined region detected last (col. 5 lines 18-33, furthermore, element 206 allows a user to place the desired frame anywhere the camera is able to view, also if the exposure adjustment is a set value, then each exposure adjustment is the same, or it is based on the last picture).

Re claim 13, Niida further discloses an image pickup system having an image pickup apparatus and a control device which are connected by a network, and a communication section carrying out communication of both thereof, comprising: the image pickup apparatus having an image pickup section which picks up an image, and a processing section which, in a state in which the image is displayed on a display screen of the control device, when a predetermined region on the display screen is designated, generates image information and transmits it to the control device via the communication section in order to display the predetermined region in the image, and

carries out an exposure correction with respect to the image which is picked up at the image pickup section on the basis of the predetermined region; and the control device which receives the image information from the image pickup apparatus via the communication section, and displays it, and which instructs the predetermined region to the processing section of the image pickup apparatus in accordance with the instruction of the user (claim limitations has already been discussed and rejected, see claim 1).

Re claim 14, Niida further discloses the image pickup system according to claim 13, wherein, in a state in which the image is displayed on the display screen of the control device, when a predetermined region on the display screen is designated, the processing section of the image pickup apparatus generates image information and transmits it to the control device via the communication section in order to display the predetermined region in the image, and further carries out an exposure correction with respect to the image to be picked up at the image pickup section on the basis of the predetermined region after receiving a determination signal via the communication section (claim limitation has already been discussed and rejected, see claim 2).

Re claim 15, Niida further discloses the image pickup system according to claim 13, further comprising: at least one of a driving section which drives the image pickup section in the panning direction and a driving section which drives the image pickup section in the tilting direction (claim limitation has already been discussed and rejected, see claim 7).

Re claim 16, Niida further discloses the image pickup system according to claim 13, wherein the processing section of the image pickup apparatus can set the predetermined region within the range of an image pickup possible screen in which image pickup is possible by a movement of the image pickup section by the driving section, and thereafter, the processing section of the image pickup apparatus carries out an exposure adjustment on the basis of the predetermined region (claim limitation has already been discussed and rejected, see claim 10).

Re claim 17, Niida further discloses an image pickup method comprising: picking up an image; and in a state in which the image is displayed on a display screen of an external device via a network, when a predetermined region on the display screen is designated, generating image information and transmitting it to the external device via the network in order to display the predetermined region in the image, and carrying out an exposure correction with respect to the image to be picked up on the basis of the predetermined region (claim limitation has already been discussed and rejected, see claim 1).

Re claim 18, Niida further discloses the image pickup method according to claim 17, wherein, when a predetermined region on the display screen is designated, the exposure correction generates the image information and transmits it to the external device via the network, and after receiving a determination signal in accordance

therewith, the exposure correction is carried out (claim limitation has already been discussed and rejected, see claim 1).

Re claim 19, Niida further discloses the image pickup method according to claim 17, wherein, when the image pickup section which picks up the image is moved at least in one of the panning direction and the tilting direction, the exposure adjustment based on the predetermined region is discontinued (claim limitation has already been discussed and rejected, see claim 9).

Re claim 20, Niida further discloses the image pickup method according to claim 17, wherein the predetermined region is set within the range of an image pickup possible screen in which image pickup is possible by moving the image pickup section which picks up the image at least in one of the panning direction and the tilting direction, and after the setting, the exposure adjustment is continued on the basis of the predetermined region regardless of the movement of the image pickup section (claim limitation has already been discussed and rejected, see claim 11).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Morehead whose telephone number is 571-270-1183. The examiner can normally be reached on Monday - Friday (alt) 7:30-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM

NGOC-YEN VU
SUPERVISORY PATENT EXAMINER